

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Adv. Pro. No. 08-01789 (SMB)

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

SIPA LIQUIDATION

(Substantively Consolidated)

Defendant.

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In re:

BERNARD L. MADOFF,

Debtor.

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IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Adv. Pro. No. 10-05094 (SMB)

Plaintiff,

v.

THE ESTATE OF CAROLYN MILLER, THE  
CAROLYN ROSEN MILLER REVOCABLE  
TRUST, LAURIE ROSEN REIMER, individually  
and in her capacities as Personal Representative of  
the Estate of Carolyn Miller and trustee of the  
Carolyn Miller Revocable Trust, and JOANNE  
GAYLE ROSEN, in her capacities as Personal  
Representative of the Estate of Carolyn Miller and  
trustee of the Carolyn Miller Revocable Trust,

Defendants.

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**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL  
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff

individually (“Madoff”), by and through his counsel, Baker & Hostetler LLP, and Defendants the Estate of Carolyn Miller, the Carolyn Miller Revocable Trust, Laurie Rosen Reimer, individually and in her capacities as Personal Representative of the Estate of Carolyn Miller and trustee of the Carolyn Miller Revocable Trust, and Joanne Gayle Rosen, in her capacities as Personal Representative of the Estate of Carolyn Miller and trustee of the Carolyn Miller Revocable Trust, by and through their counsel, Bernfeld, DeMatteo & Bernfeld, LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 2, 2010, the Trustee filed and served the Complaint against Defendants and Leonard Miller.

2. On September 18, 2015, Defendants filed and served their Answer to the Complaint on the Trustee.

3. Leonard Miller died on or about February 21, 2014 and claims against him, his Estate and personal representatives were dismissed without prejudice on April 13, 2017.

4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding and dismissal of the adversary proceeding with prejudice.

5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be

deemed an original.

7. The Bankruptcy Court shall retain jurisdiction over this Stipulation.

Date: March 14, 2019  
New York, New York

**BAKER & HOSTETLER LLP**

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*Attorneys for Defendants Estate of Carolyn Miller, the Carolyn Miller Revocable Trust, Laurie Rosen Reimer, and Joanne Gayle Rosen*

SO ORDERED:

Dated: **March 15<sup>th</sup>, 2019**  
New York, New York

/s/ STUART M. BERNSTEIN  
Hon. Stuart M. Bernstein  
United States Bankruptcy Judge